

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ERICH ROTBART,

Plaintiff,

-v-

METRO NORTH COMMUTER R.R. CO,

Defendant.

CIVIL ACTION NO. 23 Civ. 7339 (SLC)

**ORDER**

**SARAH L. CAVE**, United States Magistrate Judge.

The Court having been advised (ECF No. 24) that the parties have reached a settlement agreement, it is ORDERED that the above-entitled action be and is hereby dismissed with prejudice and discontinued without costs, but without prejudice to the right to move to reopen the action within thirty days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen **must** be filed **within thirty days** of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they **must** submit the settlement agreement to the Court within the same thirty-day period to be “so ordered” by the Court.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case.

Dated: New York, New York  
May 21, 2024

SO ORDERED.

  
**SARAH L. CAVE**  
United States Magistrate Judge